

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TASER INTERNATIONAL, INC., et al.,)
)
Plaintiffs,)
)
vs.) CIVIL ACTION
) FILE NO.:
) 1:10-CV-03108-JOF
MORGAN STANLEY & CO., INC., et al.,)
)
Defendants.)

VIDEOTAPED DEPOSITION OF
DAVID BATCHELOR
NOVEMBER 18, 2010
10:00 A.M.

BONDURANT, MIXSON & ELMORE
1201 WEST PEACHTREE STREET, NW
SUITE 3900
ATLANTA, GEORGIA

CONTAINS CONFIDENTIAL PORTIONS
PURSUANT TO PROTECTIVE ORDER

REPORTED BY:
STEVEN S. HUSEBY, RPR
CCR-B-1372

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<p>1 possibility of filing a lawsuit in connection 02:17:34</p> <p>2 with TASER? 02:17:37</p> <p>3 A. Not to my knowledge. 02:17:40</p> <p>4 Q. How much have you spent on attorney's 02:17:43</p> <p>5 fees to date in this litigation? 02:17:56</p> <p>6 MR. ASHE: Hold on. I'll instruct 02:17:58</p> <p>7 you not to answer that question on the grounds 02:18:00</p> <p>8 that it's privileged, specifically I'm 02:18:02</p> <p>9 claiming attorney-client privilege. 02:18:06</p> <p>10 BY MR. ELIAS: 02:18:09</p> <p>11 Q. Do your attorneys have a contingency 02:18:09</p> <p>12 fee arrangement with you? 02:18:12</p> <p>13 MR. ASHE: I would also instruct 02:18:13</p> <p>14 you not to answer that question on the same 02:18:14</p> <p>15 grounds. 02:18:17</p> <p>16 MR. ELIAS: I just won't -- can 02:18:18</p> <p>17 you be clear for the record -- 02:18:19</p> <p>18 MR. ASHE: I am instructing the 02:18:21</p> <p>19 witness not to answer the question of whether 02:18:22</p> <p>20 he has a contingency fee contract with his 02:18:24</p> <p>21 attorneys in this action on the basis of 02:18:27</p> <p>22 attorney-client privilege. 02:18:29</p> <p>23 MR. ELIAS: Thank you. 02:18:30</p> <p>24 MS. JONES: Actually I want to be 02:18:31</p> <p>25 clear about something. Plaintiffs are seeking 02:18:32</p>	<p>1 believe you've had with your attorneys? 02:19:30</p> <p>2 A. I don't recall. 02:19:32</p> <p>3 MR. ELIAS: Let's go off the 02:19:41</p> <p>4 record for five minutes and then I'll finish. 02:19:43</p> <p>5 I just want to make sure I didn't miss 02:19:45</p> <p>6 anything, but think I'm done. 02:19:46</p> <p>7 MR. ASHE: Not a problem. 02:19:48</p> <p>8 THE VIDEOGRAPHER: The time is 02:19:49</p> <p>9 2:20 p.m. We're now off the record. 02:19:51</p> <p>10 (Brief recess.) 02:19:53</p> <p>11 THE VIDEOGRAPHER: The time is 02:33:48</p> <p>12 2:34 p.m. We're back on the record. 02:33:53</p> <p>13 BY MR. ELIAS: 02:33:53</p> <p>14 Q. Mr. Batchelor, just a few things I 02:33:56</p> <p>15 wanted to clarify. First, you testified 02:33:58</p> <p>16 earlier that you currently have an account 02:34:00</p> <p>17 with Merrill Lynch; is that correct? 02:34:02</p> <p>18 A. Yes. 02:34:03</p> <p>19 Q. Is it accurate to say that you're not 02:34:04</p> <p>20 seeking any damages in connection with trading 02:34:06</p> <p>21 that's been done in that Merrill Lynch 02:34:08</p> <p>22 account? 02:34:09</p> <p>23 A. Correct. 02:34:10</p> <p>24 Q. Now, I want to just briefly talk about 02:34:10</p> <p>25 your wife's trading. Am I correct that your 02:34:15</p>
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<p>1 attorney's fees in this case, aren't they? 02:18:35</p> <p>2 MR. ELIAS: That was going to be 02:18:36</p> <p>3 my next question. 02:18:38</p> <p>4 MR. ASHE: You're asking me? It 02:18:39</p> <p>5 is one of the claims for damages. 02:18:40</p> <p>6 MS. JONES: But you're asserting 02:18:42</p> <p>7 the attorney-client privilege over the amount 02:18:44</p> <p>8 of fees that the witness has paid to date in 02:18:46</p> <p>9 this case? 02:18:48</p> <p>10 MR. ASHE: Yes. 02:18:49</p> <p>11 BY MR. ELIAS: 02:18:49</p> <p>12 Q. Other than the meeting you had with 02:18:57</p> <p>13 your attorneys on Friday to prepare for this 02:18:59</p> <p>14 deposition, were there any other instances in 02:19:01</p> <p>15 which you've met with any of your attorneys in 02:19:04</p> <p>16 person? 02:19:07</p> <p>17 A. Not to my knowledge. 02:19:09</p> <p>18 Q. So you've had one meeting with your 02:19:11</p> <p>19 attorneys; is that correct? 02:19:13</p> <p>20 A. To the best of my knowledge. 02:19:15</p> <p>21 Q. Who was present -- 02:19:18</p> <p>22 A. In person. 02:19:19</p> <p>23 Q. Who was present at that meeting? 02:19:20</p> <p>24 A. Robbie, Natalie, my wife, and myself. 02:19:21</p> <p>25 Q. How many telephone calls do you 02:19:27</p>	<p>1 wife also had GMS and Delta accounts? 02:34:18</p> <p>2 A. The same accounts. 02:34:21</p> <p>3 Q. What do you mean when you say the same 02:34:25</p> <p>4 accounts? 02:34:27</p> <p>5 A. If I had a Delta account, she had a 02:34:28</p> <p>6 Delta. If I had a GMS, she had a GMS. 02:34:32</p> <p>7 Q. But it is a separate account; is that 02:34:34</p> <p>8 correct? 02:34:37</p> <p>9 A. That's correct. 02:34:37</p> <p>10 Q. And are you aware that there were 02:34:37</p> <p>11 TASER trades executed in your wife's account 02:34:39</p> <p>12 at GMS? 02:34:42</p> <p>13 A. Yes. 02:34:43</p> <p>14 Q. Yes? 02:34:44</p> <p>15 A. Yes. 02:34:44</p> <p>16 Q. Did you direct the trading in your 02:34:45</p> <p>17 wife's GMS and Delta accounts? 02:34:47</p> <p>18 A. Yes. 02:34:50</p> <p>19 Q. Do you recall purchasing 2,000 shares 02:34:54</p> <p>20 in your wife's account at the same time you 02:34:56</p> <p>21 purchased shares in your GMS account? 02:34:58</p> <p>22 A. I do not recall. 02:35:00</p> <p>23 MR. ASHE: For the sake of 02:35:03</p> <p>24 clarity, if I may, maybe make it easier, is 02:35:12</p> <p>25 your lack of recollection based on not 02:35:14</p>

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